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Held at the Palais des Nations, Geneva,
on Tuesday, 3 June 1997, at 10 a.m.

Chairperson: Miss MASON

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 6) (continued)

Initial report of Azerbaijan (continued) (CRC/C/11/Add.8; CRC/C/Q/AZER/1)

1. At the invitation of the Chairperson, the delegation of Azerbaijan resumed its place at the Committee table.

2. The CHAIRPERSON invited the delegation of Azerbaijan to reply to the questions asked by members of the Committee at the previous meeting.

3. Mr. RADJABOV (Azerbaijan), referring to the questions concerning State support for orphans and for refugee and disabled children, said that in 1992 all such children had been freed of the obligation to pay taxes for communal services. The Supreme Commissariat for Refugee Affairs provided resources for refugee children and had also established a social and psychological rehabilitation programme. However, the assistance provided was insufficient, given that children were extremely traumatized by the effects of war.

4. Since the end of 1992, 40 international humanitarian organizations had been operating in Azerbaijan. The Cabinet of Ministers had set up a special structure to coordinate activities with them. Each year United Nations bodies monitored those activities, studied the needs of refugees and furnished material assistance for them.

5. With regard to ill-treatment of children in the family, a special section on the matter would be included in the new Criminal Code that was currently in preparation.

6. In the former Soviet Union, adopted children did not have the right to discover the identity of their natural parents, as it was considered that they would be unduly traumatized. In contrast, under Azerbaijan's proposed new legislation children would have the right to look for their parents.

7. Similarly, in the former Soviet Union, children without parents were usually confined to special institutions accommodating up to 500 orphans at one time. As an independent State, Azerbaijan was currently seeking to reduce the number of children in institutions by placing them in a normal family environment.

8. It was recognized that individual cases of violence against children, and between men and women, did occur. Efforts were made, however, to prevent family conflicts in order to avoid their negative effects on children. The recommendations which members of the Committee had made concerning families in poverty were most useful. A study carried out in 1996 had established that over half the population of Azerbaijan lived below the poverty line. The psychological condition of such families was being monitored. It was the task of the State to create jobs and small businesses with the aim of alleviating poverty.

9. As a result of the war, 20,000 people had been killed in Azerbaijan and many families had been left without a breadwinner. Organizations had been set up to assist single mothers, including one called "Without You". A special NGO committee was also dealing with such problems.

10. Certain instances of mothers leaving their children in hospital had been cited. However, that was not a mass phenomenon and was usually the result of social problems. The phenomenon of adolescent suicide was also rare. Cases, some of which had been reported in the press, were the subject of investigation by the authorities.

11. Mr. GARAEV (Azerbaijan) said that the mechanism set up in Azerbaijan to monitor the implementation of the Convention was a State institution. The country also had a Commission on Minors' Affairs, which was being reorganized for the purpose of meeting the requirements of the Convention. Its members included representatives of State bodies and public organizations who had set themselves the task of helping to resolve children's problems. Regular meetings of the Commission were held at which reports were presented by State authorities and NGOs.

12. In all cities and regions of Azerbaijan there were governmental authorities responsible for children's affairs. The Special Commissions which, in the former Soviet Union, had dealt with the problem of difficult children had recently been restored. The new commissions worked with deprived children and also coordinated action designed to protect children's rights. Opposition parties and NGOs were able to participate in the monitoring of such action at the local and regional levels.

13. Reference had been made to the lack of information and of school textbooks on the subject of children's rights. In that connection he drew attention to the fact that in the past 100 years the alphabet in use in Azerbaijan had changed three times and that schools currently did not possess enough textbooks in the Azeri language with the new script. However, the Ministry of Education was endeavouring to publish sufficient textbooks for children between the ages of 6 and 10 in order to ensure that they were well educated. The State was not yet in a position to publish sufficient teaching materials and appropriate technical assistance from international organizations would therefore be greatly appreciated.

14. Ms. SARDENBERG said that, in reviewing the education system, it was important to take account of the problem of gender stereotypes, whose elimination should be undertaken in implementation of the recommendations of the Fourth World Conference on Women held in Beijing.

15. In connection with the problems of institutions for orphans, and for disabled, abandoned and sick children, he emphasized the need to implement article 25 of the Convention which called for periodic review of the placement of children in care. The decisions taken by competent authorities should be reviewed on the basis of article 3 of the Convention, which provided that the child's best interests should always be the primary consideration.

16. She would like some clarification of the meaning of the terms "difficult children", and "gifted children". The latter was a positive term but could give rise to discrimination.

17. In its written replies the Government of Azerbaijan had indicated that environmental problems were tackled by the State authorities, including law-enforcement agencies. More information should be provided on that subject, as such problems had a very serious impact on children's health.

18. Mr. RABAH asked whether sexual abuse and prostitution of children were serious problems in Azerbaijan, whether pollution was affecting children living in cities and whether there were problems with the quality of water supplies.

19. Ms. KARP said that the information provided by the delegation concerning the new mechanism for the coordination and monitoring of action for the protection of children was of great interest. The mechanism should also provide for the maximization of resources, the elimination of duplication and the development of a multidisciplinary strategy.

20. Regarding the possibility of establishing mechanisms for the submission of complaints by children, he said that such mechanisms should be easily accessible and should be established in conjunction with the monitoring and coordination mechanism introduced, but should nevertheless also be able to function independently.

21. Studies on children's issues and on family violence and child abuse were being carried out. It was important that effective use was made of their findings in planning the enforcement of laws designed to combat such practices. Studies of the problem of street children should be undertaken to determine the relationship between domestic violence and child abuse on the one hand and children who left home to live on the streets on the other.

22. A large number of displaced children had been one consequence of the war in which Azerbaijan had been involved. How many children had been affected? How many had been reunited with their families and what had been done to help them?

23. Turning to the family environment, she asked what was the attitude in Azerbaijan towards public awareness campaigns and efforts to teach families about the right of children to participate. Was such a right part of the national culture and, if not, what was done to encourage it, not only in court and administrative decisions but also in everyday family life?

24. Finally, what was the general attitude towards corporal punishment in the home? Had attempts been made to educate families not to employ such forms of punishment? Also, was corporal punishment prohibited in schools and, if so, what other disciplinary measures had been introduced?

25. Ms. MOKHUANE asked what Azerbaijan's policy was with regard to pre-school and early child development. Had specific measures been introduced to assess standards in the centres that had been established?

26. It was important to improve school buildings and to equip schools with the necessary infrastructure such as heating and sanitary facilities. Given the level of destruction of schools and other educational establishments in the war, she was concerned about the quality of basic education. Had the Government introduced minimum curricula requirements?

27. The initial report submitted by Azerbaijan did not contain any information on adolescent health. What was the system of data collection and monitoring? Had programmes for suicide prevention been set up, given the apparent psychological trauma experienced by children, and what was done to promote mental health at the national level?

28. Ms. MBOI, noting the considerable success achieved in combating poliomyelitis, diphtheria and tuberculosis and in the testing of blood for HIV and hepatitis, expressed the hope that the Government and people of Azerbaijan would be able further to improve health and nutrition in what was a very difficult situation.

29. The very high rate of infant and child mortality in Azerbaijan was a matter for concern. The rising mortality rate among the under-fives as a result of measles and sexually transmitted diseases was all the more worrying as those problems were preventable. Furthermore, the tradition of breastfeeding had greatly declined.

30. She noted that the maternal mortality rate had almost doubled in the past two years, and was concerned about access to reproductive-health and family-planning services. Access to modern contraceptives for men and women of reproductive age appeared to be extremely limited. That gave rise to unwanted pregnancies and hence to abortion and associated health risks. Was reliable information on abortion available?

31. With regard to access to reproductive-health and family-planning services, especially for adolescents, reference had been made to training provided for doctors and the general public. However, it was necessary to determine what services were available for adolescent and young married couples. As risks were increasing in most countries, services should not be denied to those who sought them.

32. Concern had been expressed regarding the situation of internally displaced persons. However, a health and nutrition study published in April 1996 had indicated that the situation of internally displaced persons was not a great deal worse than that of people who had not left their home.

33. It was desirable to introduce comprehensive public health strategies, with clear priorities focused on education, preventive measures, maternal and child health, family planning and reproductive health. Those strategies should be complemented by the allocation of resources, community mobilization and technical assistance in order to improve the situation of children in Azerbaijan.

34. Mrs. OUEDRAOGO reminded the delegation of her previous question concerning the divorce rate in Azerbaijan. She also wished to know whether social workers attended to the physical and mental welfare of children whose parents were divorced.

35. Breastfeeding should be encouraged not only to protect the child's health but also to establish an emotional link between the mother and child. Was Azerbaijan participating in the UNICEF programme to promote breastfeeding and, if so, what results had been achieved to date?

36. The written reply to question 33 of the list of issues referred to Ministry of Health treatment and prevention centres designed to reduce the mortality rate from accidents. Had studies been undertaken to identify accident causes and had preventive action been taken in schools?

37. She gathered that the high incidence of congenital deformities, hereditary illness, anaemia and cardiac and renal problems was related in many cases to exposure to industrial chemicals and to pesticides in the cotton industry and other agricultural activities. Was the Government contemplating some form of protection, for example in the form of products designed to offset the effects of toxic gases?

38. Was there an awareness-building programme to prevent the spread of diarrhoeal and infectious diseases and to control iodine deficiency disorders which were endemic in some mountain regions?

39. As indicators of the quality of education, she inquired about the normal class size and the average drop-out ratio. What was the status of teachers in society, inter alia in terms of remuneration? Was the Government responsible for curriculum content in schools where minority languages were taught? Was primary education compulsory and what measures had been taken to ensure that children enjoyed the right to education guaranteed under article 28 of the Convention? Was corporal punishment tolerated in schools?

40. She also asked whether the Ministry of Youth and Sport or any other bodies operated recreational or cultural programmes for young people at the national, regional or municipal levels. To what extent did girls participate in such programmes?

41. Mr. KOLOSOV, noting that most drugs and medical supplies in Azerbaijan were imported and extremely expensive, asked what measures had been taken to ensure that children had access to appropriate medical treatment, particularly where a surgical operation was required.

42. Mrs. KARP asked whether there was a plan of action, an awareness-building programme or pre-marriage counselling to deal with the problem of thalassaemia. Had the health services access to appropriate equipment for testing?

43. What action was taken to ensure that school playgrounds were safe and to alert families to possible sources of accidents in the home?

44. She asked whether the statement in the written reply to question 37 of the list of issues to the effect that international cooperation in dealing with environmental problems was not excluded meant that technical assistance was being requested.

45. Referring to the written replies to questions 31 and 32, she observed that only a small proportion of disabled children were receiving State support. For example, only 30 disabled children had been provided with prosthetic appliances and only 25 with wheelchairs. Was there any strategy to increase the number of children receiving support and to integrate them into society? Were facilities for disabled children available in regular schools? She understood that children with official disability status were entitled to special benefits but that the families of many eligible children and even their doctors were unaware of the existence of such benefits.

46. Mr. RABAH noted from the written reply to question 39 that instruction in schools was provided in at least three languages. How did the resulting multilingual environment affect intercommunal relations among young people? What languages were used in universities and the mass media?

47. Mrs. OUEDRAOGO inquired what government action was being taken to address problems relating to the disposal of toxic waste and petroleum residues. Had the possibility of moving people away from certain polluted areas been considered?

48. Mrs. MOKHUANE asked whether the collapse of a number of youth organizations in Azerbaijan had led to a vacuum in the area of leisure activities for young people. What forms of recreation apart from the visual media were available to them?

49. Mr. EFENDIEV said that Azerbaijani had been identified as the State language in both the present Constitution and its predecessor. Over 80 per cent of the population were ethnic Azeris. However, Russian was used in the Parliament and Russian-speaking deputies could use the services of State interpreters free of charge. A roughly equal number of children's books were published in Azerbaijani and Russian. State publishing houses also produced children's books and school textbooks in other languages such as Lezghin, Talysh and Judaeo-Tati. Newspapers for both adults and children were published in a wide range of languages. Georgian was the language of instruction in areas inhabited by ethnic Georgians. All secondary schools and universities provided instruction facilities in both Azerbaijani and Russian.

50. Mr. RADJABOV (Azerbaijan) said that the Committee was perhaps not making sufficient allowance for the gravity of the current situation in Azerbaijan, with 20 per cent of the country under occupation, 1 million refugees and a major economic crisis. Nevertheless all the Committee's recommendations would be borne in mind and implemented wherever possible.

51. Azerbaijan had special schools for gifted children that focused on mathematics, physics and chemistry, and also specialized boarding schools. In addition, there were schools run by foreign communities, for example Turkish schools, European schools and an English-language Israeli school.

52. The refugee problem had an ecological dimension. The biosphere had been changed by the occupiers, who had destroyed forests and polluted water reservoirs. Children, especially in Sumgait where there were major chemical plants, had suffered greatly from air and water pollution. The level of the Caspian Sea had risen by two metres, submerging houses and schools and affecting some 20,000 families.

53. Owing to the extremely difficult economic situation, the authorities had so far been unable to prevent ecologically unsound products from entering the Azerbaijani market.

54. There were certainly instances of child prostitution and there was also a black market in pornography but they were not widespread phenomena. The authorities were nonetheless deeply concerned, also with the phenomenon of street children, and were doing their best to address those problems.

55. Families had been successfully reunited in about 1,000 cases but separation of members of refugee families had not been a mass phenomenon. Further information on that subject would be provided later in writing.

56. Large families with five or six children were common in Azerbaijan and there were strong traditional family bonds. Corporal punishment was prohibited in both families and schools and was a rare occurrence. Each instance of ill-treatment in school was discussed by the teaching staff and legal action could be taken against the culprit.

57. Breastfeeding was the traditional practice in Azerbaijan. Some women had switched to substitute products when they came on the market in the 1970s and 1980s but recent promotional work in the media and elsewhere had reversed that trend.

58. About 500 children suffered from thalassaemia, an inherited disease. Legislation on the use of donor blood had been adopted as one means of protection. Intermarriage between relatives in remote mountain villages, often one of the causes of the disease, was discouraged but not prohibited.

59. About 4,000 schools had been destroyed in the occupied territories. Educational facilities for displaced persons who had moved to other parts of Azerbaijan were not ideal. Classes were overcrowded and there were often no funds for providing the schools with heating or glazing windows. Assistance in that area was being provided by international organizations, particularly the Office of the United Nations High Commissioner for Refugees (UNHCR).

60. Recently promulgated health legislation dealt with such problems as child and maternal mortality, family planning, access to drugs and contraceptives and sterilization. There was little awareness of family planning facilities in many rural areas, particularly among people living in tent settlements. The World Health Organization (WHO) and Médecins sans frontières were providing assistance in family planning and prevention of abortion.

61. About 100,000 people had been living in the tent settlements for up to four years. Their hygienic facilities left much to be desired.

62. Legislation for the protection and rehabilitation of disabled persons had recently been adopted and in that context provision had also been made for the prevention of accidents.

63. Children had access to medical treatment free of charge. Owing to the shortage of public funds, however, it was proving difficult to purchase adequate medical supplies, which were extremely expensive in a market economy. Patients might eventually be charged for specialized services in some medical establishments. Where facilities were not available within the country, patients were occasionally sent abroad for treatment.

64. Many illnesses such as tuberculosis were often the consequence of poverty, and strenuous efforts were being made to deal with that problem in Azerbaijan; the market economy would eventually help in overcoming such illnesses. The Government had a programme of support for marriage and the family, and consultancy and advisory services were available to couples before their marriage. There was a need for invalid chairs for children, and consideration was being given to building a factory to produce them; at present they were very expensive to buy. The refugees would soon be returning to their homes, and it was expected that there would then be a sharp increase in the number of children injured by landmines. The Red Cross and Red Crescent had already opened an orthopaedic hospital where children could be fitted with artificial limbs. If a family had an invalid child it received a benefit. A great deal of effort was being put into integrating disabled children into society: they received special treatment on public transport, and were encouraged to engage in sporting activities.

65. Mr. GARAEV (Azerbaijan) said that, since the Beijing Conference in 1995 there had been intensive development of women's organizations in Azerbaijan. There was no discrimination between boys and girls in the country, even at the level of attitudes. Formerly, "difficult" children had been those who had grown up in families where one or both parents were alcohol-dependent or where one of the parents was in prison; now a much wider range of "difficult" children were targeted, most of them children who had grown up without parents as a result of the war.

66. A State department was responsible for monitoring the environment, and other organizations were involved, such as Greenpeace and those representing young people who were concerned about environmental matters.

67. Child prostitution was strictly prohibited by law, and there was little information concerning it. The Government had investigated a newspaper report on the subject but had failed to find any evidence of what had been described as child prostitution. No research on the subject had been carried out, but consideration would be given to commissioning such work in the future.

68. Before Azerbaijani children could enjoy all the rights established in the Convention, as something that should be offered by a normal society, the difficulties caused by the Armenian aggression had first to be overcome, for they were the main cause of the problems suffered by Azerbaijani children.

69. Azerbaijan had all the necessary schools for young children and, when large enterprises which had had their own kindergartens had been forced to close down because of the economic situation, the children had been taken into government kindergartens. Research was being carried out, with UNICEF assistance, on the psychological rehabilitation and psychological health of children affected by the new economic situation and the Armenian aggression. Such research would form the basis for any future action.

70. A conference had recently been held on the state of reproductive health in Azerbaijan, and a special programme on the reproductive health of the family was being implemented by the Ministry of Health in cooperation with international non-governmental organizations operating in the country. Proposals for a family planning programme aimed at young people were being considered by a parliamentary commission.

71. On the question of recreational facilities for children, he said that the country's economic situation imposed constraints in that area, but since the establishment of the Ministry of Youth and Sports a programme had been developed that involved the entire population in sports activities as a form of health measure. The Government, in cooperation with many NGOs and also private companies, was taking action to provide leisure facilities for young people, but there were economic difficulties which especially affected those children who were living in tented camps.

72. Education was compulsory in Azerbaijan up to the eighth grade.

73. The CHAIRPERSON asked the delegation of Azerbaijan to forgive members of the Committee if they seemed to be too idealistic in their expectations; they were guided only by the Convention, however, and by Azerbaijan's ratification of that instrument. There had been a dearth of information in the report, and it was important to seek as much as possible in order that the Committee might fulfil its responsibilities towards the children of Azerbaijan. She invited further questions from members of the Committee.

74. Mrs. SARDENBERG said that, despite the delegation's denial of the existence in Azerbaijan of gender-based discrimination, information available to the Committee indicated that it was to be found there, chiefly in respect of such matters as job opportunities.

75. Rather than stigmatizing children by referring to them as "difficult", it might be better to use the term employed by UNICEF, "children in specially difficult circumstances". There was a close link between a healthy environment and enjoyment of the rights of the child; the environment must be a subject of study in schools, where it could be taught both easily and cheaply. The report referred to there being few cases of sexual exploitation of children, and mentioned legislation in general rather than specific measures. Consideration needed to be given to preventive and other measures involving NGOs, the media and public awareness campaigns, with the collection, if possible, of gender-specific data. Under an international cooperation project, the United Nations Centre for Human Rights had been providing Azerbaijan with technical assistance designed to strengthen the rule of law.

Had there been any follow-up to that project, and what was the Government's view of it? In general, what priorities did the Government have for further international technical assistance?

76. Mr. KOLOSOV said that, given the increase in juvenile delinquency and adolescent crime in Azerbaijan, thought should be given to the establishment there of specially trained juvenile courts. Independent, rather than Government control of corrective labour institutions for adolescents was extremely important, because there had been cases of adolescents' rights being violated in such institutions. People other than the police and officials of the Ministries of Internal Affairs and Education had to be involved and social institutions should be allowed to deal with complaints of violations of rights. At present complaints were addressed to the very persons about whom the complaints were made. Azerbaijan could be the first country in the Commonwealth of Independent States to establish an Ombudsman for the rights of the child. He or she should be a person who was completely independent, who reported only to the Parliament and who had the right to take legislative initiatives and to investigate specific cases.

77. Mrs. MBOI said she well understood the economic and other difficulties to which the delegation had referred; she had been dealing with war, poverty, colonialism and economic difficulties as a member of the Indonesian Parliament for more than 30 years. However, children could not be expected to wait: improvements could be made and had to be made. The written reply to question 48 of the list of issues concerning child labour had referred to labour legislation, but the very fact that legal provisions existed meant that the Government acknowledged that child labour existed or that it anticipated that it would become a problem in the future. What monitoring facilities and mechanisms were in place to ensure that child labour was eliminated? In particular, what was being done to stop child labour in the informal sector, where most children were working and where they met the most hazardous conditions? The written reply to question 50 of the list of issues likewise referred to legal provisions on sexual abuse, thereby acknowledging that it existed or anticipating that it might get worse. Given that it was a criminal offence, what was the punishment for perpetrators? Since most of the perpetrators had mental health problems, had any thought been given to providing diagnostic and therapeutic facilities for them? Did the delegation consider that in general Azerbaijan had a good system for monitoring the situation of children?

78. Mrs. KARP said that most of the Committee's questions about the system of juvenile justice had not been answered. From the dearth of information concerning the number of children in institutions, the offences that were committed and the discretion of the courts, it could be assumed that the Azerbaijani juvenile justice system needed comprehensive reform, not only with regard to the establishment of juvenile courts but also in many other respects, such as the establishment of a system of alternative punishments, movement away from the criminal justice system, and development of minimum standards for institutions and mechanisms for monitoring the system. The Convention contained provisions relating to the juvenile justice system, but there were also other international instruments that dealt with the subject. She referred the delegation to the Beijing Rules and other United Nations standards for the administration of juvenile justice, such as the

United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Riyadh Guidelines for the prevention of juvenile crime. Those international instruments provided much useful guidance. The Committee itself had also studied the juvenile justice system, and the report of its discussion of the subject might be of some assistance. There were also other United Nations agencies which had programmes and experts in that area, and Azerbaijan should certainly consider turning to them for technical assistance in establishing a new and effective system of juvenile justice.

79. In connection with the dearth of information concerning sexual abuse in Azerbaijan, both in the family and in prostitution, she urged that studies be undertaken in order to ascertain the real situation. There was, after all, a vicious circle in that the difficulties that hindered children in complaining about their abuse might also create a general impression that the problem did not exist, whereas the real situation might be completely different.

80. Mr. RABAH asked how the juvenile courts were distributed throughout Azerbaijan and whether the system was that of a one-court judge. He asked if there were any statistics indicating the kinds of offences committed by juvenile offenders in Azerbaijan, and whether the sentences passed on them were adapted to their age. The written reply to question 46 of the list of issues stated that pre-trial detention in custody had applied to 59 people, and that the number of children detained for not more than three hours had been 6,323 in 1996 and 1,580 in the first quarter of 1997; three hours seemed a surprisingly short period of detention.

81. Under articles 84 and 90 of Azerbaijan's Code of Criminal Procedure, one preventive measure that could be employed was the placement of a minor in an appropriate children's facility or under the supervision of its parents, guardians or custodians. Who were those guardians and who was responsible for the minor? Where were the places of detention, and were the juveniles detained there together with adults? What relationship was there between the State and non-governmental organizations working with juvenile offenders, and were there any training programmes for the police, lawyers, social workers and judges who were involved in the system of juvenile justice? Was legal aid available automatically or was there a special procedure for obtaining it? Did a sentence appear on a juvenile offender's record for anyone to see?

82. Mr. RADJABOV (Azerbaijan) said that much remained to be done in coordinating and systematizing social assistance programmes and the Committee could perhaps arrange for Azerbaijan to receive relevant technical assistance. Governmental efforts were being made at the local level to coordinate the efforts of international organizations, among them UNICEF, the World Health Organization and Médecins sans frontières. Assistance would also be welcome in the preparation of draft legislation that would appropriately incorporate the terms of the Convention.

83. The National Assembly was working to establish an office of ombudsman in the area of human rights. Although it would perhaps not be practical to create a separate ombudsman for children's rights, the idea of a children's subdivision was worth contemplating. No mechanisms were currently in place to monitor programmes for children in difficult circumstances. With the transition from a planned to a market economy, many families were launching

small businesses, in which children played a role. It would perhaps be useful for the Ministry of Youth and Sports Affairs, in conjunction with the international organizations, to review that problem.

84. As Azerbaijan progressed toward a market economy, and concurrently, toward both urbanization and integration into the culture of Western Europe, the problem of sexual abuse was sure to worsen. He agreed that efforts should be made to grapple with its social and psychological aspects, and to develop preventive measures. The notion that children were often reluctant to bring to light instances of sexual abuse was an interesting one, and would be borne in mind. In future, efforts should be made to publicize sexual offences against children, as a lesson to others.

85. Juvenile court judges were generally not professional jurists, and were elected by the population as a whole. Punishments for children depended on the gravity of the crime. Children were seldom held in preventive detention, but any such procedure was conducted in accordance with Azerbaijan legislation. All police stations had staff specially trained to deal with minors, generally persons with teaching or social work experience who were often women. He agreed that efforts should be made to bring such procedures into accord with the terms of the Convention. Under the former Soviet regime, the arrest of an adolescent had severe consequences for his future prospects; that was not the case under the present system. He did not know whether a child's criminal history formed part of a permanent record.

86. There was one corrective labour facility in Azerbaijan, designed to provide education, cultural opportunities, and employment to 20 to 25 juvenile offenders. The latter were engaged in producing useful goods, mostly chairs and tables. Their output was sold, and the limited proceeds went partly to the establishment and partly to the inmates.

87. Approximately 130 children under the age of 18 were held in juvenile institutions in Azerbaijan, most for theft. The majority were refugees, many of them orphans, who had stolen out of need. If the Committee so wished, relevant statistics could be provided. Most children who had committed offences were not, however, held in detention facilities. Although they were required to report to the appropriate institutions, they could be regularly employed.

88. All juvenile justice faciities were currently overseen by the Ministry of Justice. The special schools and correctional institutions had special teacher-training centres; all personnel who taught in those facilities were regular teachers working on a second shift. Furthermore, medical professionals monitored the health of all institutionalized children.

89. Mrs. SARDENBERG thanked the delegation of Azerbaijan for its spirit of openness, as well as for its evident commitment to the cause of children. She hoped that the delegation would take vigorous action to encourage implementation of the Committee's various recommendations, in particular, the establishment of a children's code, the development of a comprehensive implementation strategy in the economic, social and political areas, the creation of a coordinated system for decentralized cooperation, and greater involvement of NGOs. Under the terms of article 3, paragraph 3, and of

article 25 of the Convention, the Government should improve the supervision of children's institutions, and should ensure that the treatment of children placed in such facilities was subject to periodic review. Relevant national legislation should be enacted and measures should be adopted to ensure its implementation. In that connection, Azerbaijan might consider referring to the NGO network recently organized under the auspices of the Department of Public Information (DPI), to deal with the matter of juvenile justice. Programmes should be developed for the social and psychological recovery and reintegration of disabled children and children in conflict situations, with emphasis on family and community participation. She hoped that Azerbaijan would continue to benefit from international cooperation and give wide dissemination to the Convention.

90. Ms. OUEDRAOGO said she was heartened by Azerbaijan's commitment to children, and in particular by the country's plans to adopt a children's code. Various reforms could already be suggested in light of the current discussion. They included establishment of the age of sexual consent; revision of the age of marital consent so as to make no distinction between girls and boys; and reconsideration of the minimum working age, taking into consideration the age requirement for compulsory education. The Government should introduce measures to protect children from mental and physical violence, develop a national children's policy overseen by a single coordinating body, strengthen the educational system and improve the quality of teaching. Finally, it should accord especial attention to the notion of the best interests of the child as well as to that of the child's right to be heard.

91. Ms. MOKHUANE said that Azerbaijan faced problems in the areas of legislative reform and education in the rights of the child. It suffered, furthermore, from a lack of coordination among governmental and non-governmental actors, as well as among ministries, and would require assistance in the area of institutional capacity-building. Both police officers and members of the National Assembly involved in the drafting of legislation should be familiarized with the principles of the Convention. Furthermore, Azerbaijan should seek lasting solutions to the problems of refugees and displaced persons, and should provide, where possible, housing and other support for them. Those drafting national legislation should consult all levels of Azerbaijani society, and should draw on the expertise of international bodies. In revising the Marriage and Family Code, the proceedings of the Fourth World Conference on Women should be consulted, and the views of women's organizations should be sought.

92. The Government should endeavour to strengthen the deteriorating health-care infrastructure, and should establish a mental health-care system, with especial emphasis on children, women, and families. Lastly, it should launch peace education and conflict management programmes.

93. Mrs. KARP associated herself with the views that had been expressed by other members of the Committee. She assured Azerbaijan that the Committee was not unaware of the crisis from which that country was suffering. In situations of conflict, the rights and needs of children were often forgotten. If the Azerbaijan Government intended to allow refugee children to live in tents until the war ended, it was incumbent on the Committee to urge it to reconsider its decision. If not resolved in a timely manner, certain

incipient social problems, such as the health of the environment or the existence of street children, would later entail a far greater social cost. As a new nation, Azerbaijan had the unusual opportunity to create, from the outset, viable national structures that would promote favourable conditions for children, and concomitantly, for society as a whole.

94. Mr. RABAH said that Azerbaijan must attend to social and educational concerns despite the difficulties it faced. The establishment of viable democratic structures would protect the future of that country, and with it, the future of its children; in the interval, NGOs must necessarily play a vital role in the implementation of the Convention.

95. Mr. KOLOSOV noted that members of the Committee had made little reference to the armed conflict in Azerbaijan, perhaps because the delegation had mentioned it so often. However, if even a single child participated in a military operation there, that was a matter of grave concern to the Committee and the international community. The Convention strictly proscribed the involvement of children in such conflicts.

96. He emphasized that the Azerbaijan Government should endeavour to assess the future impact of all its policy decisions on the lives of children.

97. The CHAIRPERSON invited the delegation of Azerbaijan to present its concluding remarks.

98. Mr. EFENDIEV (Azerbaijan) said that he had been impressed by the sincere interest of the members of the Committee in the young citizens of Azerbaijan. He assured them that their recommendations, as well as the interesting new ideas they had put forward, would be taken into consideration by his Government in the future.

99. Azerbaijan was seeking to progress from a planned to a market economy, while at same the time struggling to maintain its newly achieved independence. Twenty per cent of its territory was occupied by Armenia; over a million displaced persons were living in 10 camps within Azerbaijan. He agreed that the lives of its children were of crucial importance to the future of the country, and that the Convention was the fundamental instrument on the basis of which their lives could be protected. It was clear that Azerbaijan should cooperate closely with the Committee. His delegation had answered the questions of members insofar as possible; further replies would be forwarded to the Committee later in writing.

100. The CHAIRPERSON said that she associated herself with the views expressed by the members of the Committee. Although the Committee was sensitive to the considerable difficulties facing Azerbaijan, its primary concern was the protection of the rights of the children of that country. All actions taken on behalf of children should take into consideration the four central precepts of the Convention: the best interests of the child; the child's right to participate; the child's right to survival and development;

and non-discrimination. She urged Azerbaijan to ensure the participation of children in its society. An important fact to bear in mind was that children were their own best teachers. Consideration should perhaps be given to the development of a peer-counselling system.

101. Furthermore, considering the provisions of article 37 of the Convention, she exhorted Azerbaijan to abolish capital punishment for children under the age of 18.

102. Finally, the Government of Azerbaijan should give publicity to its dialogue with the Committee during the session, so as to acquaint the population with its rights and thereby guarantee the rights of children.

The meeting rose at 1.05 p.m.